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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, MAY 14, 2015**

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# JOURNAL OF THE SENATE

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ONE HUNDRED TWENTY-THIRD CALENDAR DAY  
SEVENTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, May 14, 2015

The Senate met in regular session at 10:08 a.m., President Jochum presiding.

The Senate observed a moment of silence.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Noah Canady.

The Journal of Wednesday, March 13, 2015, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 13, 2015, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 505](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions. ([S-3187](#))

## HOUSE AMENDMENT CONSIDERED

[Senate File 505](#)

Senator Gronstal called up for consideration [Senate File 505](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, amended by the House in House amendment [S-3187](#), filed May 14, 2015.

Senator Ragan moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 505](#) be **immediately messaged** to the House.

The Senate stood at ease at 10:22 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:11 p.m., President Jochum presiding.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 12:12 p.m. until 1:00 p.m.

## RECONVENED

The Senate reconvened at 1:33 p.m., President Jochum presiding.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 510](#).

[Senate File 510](#)

On motion of Senator Dvorsky, [Senate File 510](#), a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for regulatory, taxation, and properly related matters, and including penalties and effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Kapucian offered amendment [S-3192](#), filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment [S-3192](#) was adopted by a voice vote.

Senator Dvorsky offered amendment [S-3188](#), filed by him from the floor to pages 9, 12, 27-29, 40, 47-50, 68, and 92 of the bill.

Senator Dvorsky offered amendment [S-3191](#), filed by him from the floor to page 2 of amendment [S-3188](#), and moved its adoption.

Amendment [S-3191](#) to amendment [S-3188](#) was adopted by a voice vote.

The Senate resumed consideration of amendment [S-3188](#), as amended.

Senator Whitver raised the point of order that amendment [S-3188](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3188](#) out of order.

([Senate File 510](#) was deferred.)

The Senate stood at ease at 1:44 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:22 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 510](#), previously deferred.

Senator Gronstal asked and received unanimous consent that action on [Senate File 510](#) be **deferred**.

#### HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 14, 2015, **insisted** on its amendment to [Senate File 505](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions, and the Conference Committee members on the part of the House are: the representative from Henry, Representative Heaton, Chair; the representative from Story, Representative Heddens; the representative from Scott, Representative Linda Miller; the representative from Clarke; Representative Fry; and the representative from Polk, Representative Forbes.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [Senate File 505](#) on the part of the Senate: Senators Ragan, Chair; Bolkom, Dvorsky, Johnson, and Segebart.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 505](#) be **immediately messaged** to the House.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chapman and Zaun, until they arrive, on request of Senator Whitver.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Michael Coleman, Board of Corrections

Sharon Krause, State Soil Conservation Committee

Dan Gannon, Commission of Veterans Affairs

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Schoenjahn
Anderson	Dearden	Johnson	Schultz
Behn	Dix	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chelgren	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Chapman            Zaun

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Robert Felderman, as a member of the Real Estate Appraiser Examining Board, placed on the Individual Confirmation Calendar on May 6, 2015, found on page 998 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Schoenjahn
Anderson	Dearden	Johnson	Schultz
Behn	Dix	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chelgren	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Chapman            Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

#### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 544](#).

#### [House File 544](#)

On motion of Senator Bolkcom, [House File 544](#), a bill for an act regarding the use of waste conversion technologies as a waste management practice, placed on the Unfinished Business on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom offered amendment [S-3149](#), filed by him on April 30, 2015, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3149](#) be adopted?” ([H.F. 544](#)), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 22:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	
Costello	Kapucian	Shipley	

Absent, 2:

Chapman	Zaun
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Amendment [S-3149](#) was adopted.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 544](#)), the vote was:

Yeas, 46:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bertrand	Dvorsky	Kraayenbrink	Shipley
Bisignano	Feenstra	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Wilhelm
Costello	Hogg	Rozenboom	Zumbach
Courtney	Horn	Schneider	
Danielson	Jochum	Schoenjahn	

Nays, 2:

Chelgren            Whitver

Absent, 2:

Chapman            Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 544](#) be **immediately messaged** to the House.

#### BUSINESS PENDING

#### [Senate File 510](#)

The Senate resumed consideration of [Senate File 510](#), a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for regulatory, taxation, and properly related matters, and including penalties and effective date and retroactive and other applicability provisions, previously deferred.

Senator Dvorsky deferred amendment [S-3190](#), filed by him from the floor to page 9 of the bill.

Senator Dvorsky offered amendment [S-3195](#), filed by him from the floor to page 42 of the bill, and moved its adoption.

Amendment [S-3195](#) was adopted by a voice vote.

Senator Johnson withdrew amendment [S-3182](#), filed by him on May 13, 2015, to page 92 of the bill.

Senator Smith offered amendment [S-3194](#), filed by him from the floor to page 92 of the bill, and moved its adoption.

Amendment [S-3194](#) was adopted by a voice vote.

Senator Bertrand withdrew amendment [S-3197](#), filed by him from the floor to page 92 of the bill.

Senator Johnson withdrew amendment [S-3183](#), filed by him on May 13, 2015, to page 92 of the bill.

Senator Chelgren asked and received unanimous consent to withdraw amendment [S-3193](#), filed by Senator Chelgren, et al., from the floor to page 92 of the bill.

Senator Bertrand offered amendment [S-3196](#), filed by him from the floor to page 92 of the bill, and moved its adoption.

Amendment [S-3196](#) was adopted by a voice vote.

Senator Chelgren asked and received unanimous consent to withdraw amendment [S-3198](#), filed by Senator Chelgren, et al., from the floor to page 92 of the bill.

Senator Chelgren asked and received unanimous consent to withdraw amendment [S-3199](#), filed by Senator Chelgren, et al., from the floor to page 92 of the bill.

Senator Dvorsky offered amendment [S-3201](#), filed by him from the floor to pages 9, 12, 27–29, 40, 45–50, 68, and 92 of the bill, and moved its adoption.

Amendment [S-3201](#) was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment [S-3190](#), previously deferred.

Amendment [S-3190](#) was adopted by a voice vote.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he returns, on request of Senator Dix.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 510](#)), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 21:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Bertrand	Guth	Schultz	Zumbach
Breitbach	Johnson	Segebart	
Chelgren	Kapucian	Shipley	
Costello	Kraayenbrink	Sinclair	

Absent, 3:

Chapman	Feenstra	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 510](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:15 p.m. until 2:00 p.m., Monday, May 18, 2015.

## APPENDIX

### CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Herbert Hoover National Historic Site of West Branch—For 50 years of service preserving the legacy of Herbert Hoover. Senator Dvorsky.

### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** Thursday, May 14, 2015, 12:30 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith.

**Members Absent:** McCoy (excused).

**Committee Business:** Passed [HF 654](#), as amended; and HFs 660 and 662; and passed [SSB 1193](#), as amended.

**Adjourned:** 1:00 p.m.

### SUBCOMMITTEE ASSIGNMENT

#### [House File 648](#)

APPROPRIATIONS: Bolkcom, Chair; Ragan and Segebart

### FINAL COMMITTEE REPORTS OF BILL ACTION

#### WAYS AND MEANS

**Bill Title:** [HOUSE FILE 654](#), a bill for an act relating to the programs and duties of the economic development authority and including effective date and retroactive applicability provisions and other properly related matters.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3200](#).

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [HOUSE FILE 660](#), a bill for an act requiring a public hearing prior to increasing the rate of a franchise fee imposed by a city.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [HOUSE FILE 662](#), a bill for an act relating to vital statistics, including access to birth records and vital statistics fees collected by the state and county registrars of vital statistics.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

<a href="#">S-3187</a>	<a href="#">S.F. 505</a>	House
<a href="#">S-3188</a>	<a href="#">S.F. 510</a>	Robert E. Dvorsky
<a href="#">S-3189</a>	<a href="#">H.F. 550</a>	Jeff Danielson
<a href="#">S-3190</a>	<a href="#">S.F. 510</a>	Robert E. Dvorsky
<a href="#">S-3191</a>	<a href="#">S.F. 510</a>	Robert E. Dvorsky
<a href="#">S-3192</a>	<a href="#">S.F. 510</a>	Tim L. Kapucian
<a href="#">S-3193</a>	<a href="#">S.F. 510</a>	Mark Chelgren Jason Schultz Tom Shipley Jerry Behn Jack Whitver
<a href="#">S-3194</a>	<a href="#">S.F. 510</a>	Roby Smith
<a href="#">S-3195</a>	<a href="#">S.F. 510</a>	Robert E. Dvorsky
<a href="#">S-3196</a>	<a href="#">S.F. 510</a>	Rick Bertrand
<a href="#">S-3197</a>	<a href="#">S.F. 510</a>	Rick Bertrand
<a href="#">S-3198</a>	<a href="#">S.F. 510</a>	Mark Chelgren Jason Schultz

<u>S-3199</u>	<u>S.F. 510</u>	Mark Segebart Jack Whitver Mark Chelgren Michael Breitbach Ken Rozenboom Amy Sinclair Mark Costello Tim L. Kapucian Jack Whitver Tim Kraayenbrink Bill Anderson Dennis Guth
<u>S-3200</u>	<u>H.F. 654</u>	Ways and Means
<u>S-3201</u>	<u>S.F. 510</u>	Robert E. Dvorsky